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2	Portland, Oregon 97214-4247 503-234-2694	2000 APR 28 P W 33		
3	Fax 503-234-1330	CLERK, U.S. DIET COURT		
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9	UNITED STATES DISTRICT COURT			
10	DISTRIC	CT OF OREGON		
11	LANNY SERDLOW,)		
12	Plaintiff,	CV '00 - 580 HA		
13	VS.) COMPLAINT) CIVIL RIGHTS		
14	CITY OF PORTLAND) CIVIL RIGHTS		
15	ADRIENNE SPARROW, MASAYO HOWELL, GLENN STORTS,) DEMAND FOR JURY TRIAL		
16	M. W. CALDER, JOHN SHEPARD	,)		
17	GREG DUVIE, DONALD MacPHERSON, MARILYN Van HORN,)		
18	DOUG KOSLOSKE, and ED BRUMFIELD Defendants.))		
19	2010Hddillo.	,		
20		I		
21	INTRODUCTION			
22	1. Pursuant to 42 USC Section 1983, Plaintiff alleges violations of the Fourth and			
23	Fourteenth Amendments to the United States Constitution. Plaintiff seeks damages.			
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25	////			
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II 1 2 **JURISDICTION** 3 2. This Court has jurisdiction over Plaintiff's claims by virtue of 28 USC §§ 1331, 1343. 4 III 5 **PARTIES** 6 3. Plaintiff Lanny Serdlow is a resident of Multnomah County, Oregon 7 8 4. Defendant City of Portland is a governmental entity responsible for the acts and failures 9 to act of the employees of Portland Police Bureau, including the individual defendants listed 10 below. 11 5. At all times material herein, Defendant Adrienne Sparrow was acting within the course 12 and scope of her employment for the United States Federal Bureau of Investigation. 13 14 6. At all times material herein, Defendant Mayso Howell was acting within the course and 15 scope of her employment for the United States Federal Bureau of Investigation. 16 7. At all times material herein, Defendant John Shepard was acting within the course and 17 scope of his employment for the United States Federal Bureau of Investigation. 18 8. At all times material herein, Defendant Glenn Storts was acing within the course and 19 scope of his employment for the United States Customs Service. 20 21 9. At all times material herein, Defendant M. W. Calder was acting within the course and 22 scope of his employment for the City of Portland Police Bureau. 23 10. At all times material herein, Defendant Greg Duvic was acting within the course and 24 scope of his employment for the City of Portland Police Bureau. 25 11. At all times material herein, Defendant Donald MacPherson was acting within the 26 course and scope of his employment for the United States Federal Bureau of Investigation. PAGE 2 of 8 - COMPLAINT

12. At all times material herein, Defendant Marilyn Van Horn was acting within the
course and scope of her employment for the City of Portland Police Bureau.
13. At all times material herein, Defendant Doug Kosloske was acting within the course
and scope of his employment for the City of Portland Police Bureau.
14. At all times material herein, Defendant Ed Brumfield was acting within the course and
scope of his employment for the City of Portland Police Bureau.
15. The individual defendants are sued in both their individual and official capacities.
IV
FACTS
16. At all times material herein, defendants acted under color of state law.
17. Plaintiff Lanny Serdlow advocated for over 25 years that the City of Portland Police
Bureau change its policies, customs, and practices. Plaintiff Serdlow advocated for changes
through serving on police advisory councils, downtown retail council and downtown crime
prevention committee. Plaintiff Serdlow also advocated changes on various cable access
programs shown in the metropolitan area. In 1980 an uniformed Portland police officer beat up
Plaintiff. The Defendant City of Portland settled the ensuing lawsuit out of court. At various
times in the 25 years the Portland Police searched Plaintiff's business finding nothing illegal.
Various members of defendant City of Portland Police Bureau have harassed and intimidated
Plaintiff Serdlow and his customers because of Plaintiff Serdlow's outspoken views on police
policies, customs and procedures.
18. On or about April 30, 1998, Defendant Sparrow caused to be issued a search warrant
for Plaintiff Lanny Serdlow's residence and place of business. The alleged reason for the search
was to seize materials depicting or used to depict "child pornography, child erotica, information
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pertaining to the sexual interest in child pornography, sexual activity with children or the
distribution, possession or receipt of child pornography, child erotica or information pertaining to
an interest in child pornography or child erotica." The search warrant also listed other items to be
seized, all pertaining to child pornography. Defendants Sparrow, Howell and MacPherson failed
to investigate the information given to them concerning plaintiff to ascertain its validity.
19. Defendants Sparrow, Howell, Storts, Shepard, Calder, Duvis, MacPherson, Durbin,
Van Horn, Koloske, Brumfield and Altman all took place in the execution of the search warrants
and seized numerous items belonging to the Plaintiff.
20. The search warrant lacked probable cause and/or contained information which
defendants knew or should have know was false.
21. Defendants knew, or should have known that the information which led to the search
warrant was part of the 25 year campaign to harass and intimidate Plaintiff Serdlow.
21. Many of the items seized were film and video equipment, computers and other
electronic equipment used in Plaintiff's businesses.
22. Defendants allowed television and print media to accompany the execution of the
search warrants.
23. Plaintiff produced and directed numerous cable access television shows with his
equipment and was publicly known for having the equipment. Plaintiff had video production
equipment at his residence and place of business, The Rage nightclub.
24. Plaintiff used his video production equipment to direct and produce cable access
shows for the United States Aethists and the Campaign for the Restoration and Regulation of
Hemp, (CRRH), a cannabis law reform group. Both groups are controversial and involved in

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advocating changes to the existing laws.

25. CRRH in April of 1998 was involved in an initiative drive to change cannabis laws in		
the State of Oregon. Plaintiff supported the goals of CRRH and used his video production		
equipment to help CRRH communicate with the voters of the State of Oregon.		
26. In seizing Plaintiff's equipment, defendants interfered with Plaintiff's constitutional		
right of association and free speech.		
27. In seizing Plaintiff's equipment, defendants actions caused Plaintiff to lose his contract		
to film and distribute video tapes of Northwest Children's Theater performances.		
28. In seizing Plaintiff's equipment, defendants forced Plaintiff to sell his business, The		
Rage nightclub.		
29. In seizing Plaintiff's equipment and allowing media to accompany them, Plaintiff was		
not rehired for his job at the Census Bureau.		
30. Defendants held onto all of Plaintiff's seized property until December 21, 1999, when		
some of the property was released to Plaintiff. Defendants continue to hold onto property		
belonging to Plaintiff.		
31. Plaintiff suffered medical problems and serve mental stress resulting from the illegal		
seizure of his property, defendants' false accusations of trafficking in child pornography and		
allowing the media to broadcast defendants' false allegations concerning the Plaintiff and child		
pornography.		
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V 1 2 FIRST CLAIM FOR RELIEF (42 USC § 1983 / First and Fourteenth Amendments) 3 32. As described above, defendants violated Plaintiff's First and Fourteenth Amendment 4 5 rights when they interfered and stopped his ability to communicate his political message in seizing 6 his property. 7 33. As described above, Defendant City of Portland has ratified and approved of 8 Defendants Calder, Duvic, Van Horn, Kosloske, Brumfield and other individuals in the Portland 9 Police Bureau by establishing policies, customs, and/or practices of relying upon unvalidated 10 11 information for search warrants and knowingly providing false information to other agencies 12 concerning Plaintiff. As further evidence and ratification of such policies, customs or practices, 13 no officer in the Portland Police Bureau has been disciplined for any wrong doing concerning the 14 Plaintiff nor have any changes been made by Defendant City of Portland in its policies, customs or 15 practices. 16 17 34. Plaintiff should be awarded non-economic damages against defendants in an amount 18 to be determined at trial. 19 35. Plaintiff should be awarded punitive damages in an amount to be determined at trial 20 against defendant due to defendants reckless disregard for the truth 21 36. Plaintiff should be awarded attorney fees and costs under 28 USC § 1988. 22 1111 23 1111 24 1111 25 1111 26

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1.	VI
2	SECOND CLAIM FOR RELIEF
3	(42 USC § 1983 / Fourth and Fourteenth Amendments)
4	37. As described above, defendants violated Plaintiff's Fourth and Fourteenth
5	Amendment rights when they caused the search warrants to be issued and in executing the
6	warrants, knowing they had no reason for the search warrant and its execution.
7 8	38. As described above, defendants violated Plaintiff's Fourth and Fourteenth
9	Amendment rights when they held onto Plaintiff's property without due process for its return.
10	39. As described above, Defendant City of Portland has ratified and approved of
11	Defendants Calder, Duvic, Van Horn, Kosloske, Brumfield and other individuals in the Portland
12	Police Bureau by establishing policies, customs, and/or practices of relying upon unvalidated
13	information for search warrants and knowingly providing false information to other agencies
14 15	concerning Plaintiff. As further evidence and ratification of such policies, customs or practices,
16	no officer in the Portland Police Bureau has been disciplined for any wrong doing concerning the
17	Plaintiff nor have any changes been made by Defendant City of Portland in its policies, customs or
18	practices.
19	40. Plaintiff should be awarded non-economic damages against defendants in an amount
20	to be determined at trial.
21 22	41. Plaintiff should be awarded punitive damages in an amount to be determined at trial
23	against defendant due to defendants reckless disregard for the truth
24	42. Plaintiff should be awarded attorney fees and costs under 42 USC § 1988.
25	WHEREFORE, Plaintiff prays for relief from the Court as Follows:
26	1. Assume jurisdiction in this matter over his claims,

Τ	2. Award Plaintiff non-economic damages against defendants in an amount to be
2	determined at trial;
3	3. Award Plaintiff punitive damages against defendants in an amount to be determined at
4	trial;
5	4. Award Plaintiff his reasonable attorneys and costs against defendants herein under
6	
7	federal law;
8	5. Grant other relief as may be just and proper.
9	DATED this April, 2000.
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11	Paul Loney, OSB #92185
12	Attorney for Plaintiff
13	PLAINTIFF HEREBY DEMANDS A JURY TRIAL
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